IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5719 of 2005

Between:

Smt. J. Grace Suseela, W/o. K. Samuel,
CSI High & Elementary School, Nandikotkur, Kurnool District.

..... PETITIONER

AND

1. The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
2. The District Educational Officer, Kurnool District.
3. The Correspondent, C.S.I. High & Elementary School, Nandikotkur, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, preferably in the nature of Writ of Mandamus declaring the action of 2nd respondent in not according permission to 3rd respondent management for promoting the petitioner as school assistant inspite of clear directions given by the 1st respondent in Rc. No. 466/B2-3/2005 dated 25-2-2005, without appreciating the fact that petitioner is retiring on 16th April 2005, as illegal, arbitrary and violative of Articles 14, 16 and 19 of the constitution of India and consequently direct the respondents to promote the petitioner to the post of school assistant in 3rd respondent school forthwith.

Counsel for the Petitioner:MR.K.RATHANGA PANI REDDY

Counsel for the Respondent Nos.1 and 2 : GP FOR SCHOOL EDUCATION

Counsel for the Respondent No.3 :

The Court at the admission stage made the following O R D E R:

This writ petition is filed to declare the action of the second respondent in not according permission to the third respondent-Management for promoting the petitioner as school assistant inspite of clear directions given by the first respondent in Rc.No.466/B2-3/2005 dated 25.02.2005, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

Through impugned proceedings dated 25.02.2005, the first respondent issued instructions, whereunder the second respondent was directed to issue instructions to the third respondent-Management to consider the request of the individual for promotion of School Assistant if she is senior most and qualified among the SGT category. In pursuance of the directions given by the first respondent, the second respondent has to take appropriate decision.

Therefore, without entering into the merits of the case, the writ petition is disposed of directing the second respondent to pass appropriate orders and issue necessary instructions to the third respondent Management within one week from the date of receipt of a copy of this order. No costs.

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(K.C.BHANU, J)

Dt:21.03.2005

Note:Wire at party's cost

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To

1. The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
2. The District Educational Officer, Kurnool District.
3. The Correspondent, C.S.I. High & Elementary School, Nandikotkur, Kurnool District.
4. Two CCs to G.P. for School Education, High Court of A.P., Hyderabad (OUT).
5. Two CD copies

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